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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 23, 1998

Office of the Secretary
Federal Communications Commission
1919 M Street NW
Washington DC, 20554

Dear Secretary Caton:

Enclosed are the original and 11 copies of the comments of Self Help for Hard of Hearing People, Inc. (SHHH) regarding MM Docket No. 95-176, Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility.

Also enclosed is a computer disk copy of the comments.

We appreciate this opportunity to provide feedback.

Sincerely,

Brenda Battat
Deputy Executive Director

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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
Closed Captioning and Video Description)

MM Docket No. 95-176

Implementation of Section 305 of the)
Telecommunications Act of 1996)

Video Programming Accessibility)

Comments of
Self Help for Hard of Hearing People, Inc.

Introduction

Self Help for Hard of Hearing People, Inc. (SHHH) submits the following comments to the Federal Communications Commission (the Commission) in response to the Commission's Further Notice of Proposed Rulemaking, dated January 9, 1998, relating to the Closed Captioning Order and accessibility of emergency information.

SHHH is a national educational organization representing people who are hard of hearing of all ages and degrees of hearing loss. Many hard of hearing people lose their hearing progressively and come to rely on receiving information visually, as through captioned video programming and telephone relay services. For them, the only way to have full access to emergency information is through real-time captioning.

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Separate Transitional Requirements Needed for Emergency Information

Given the health and safety issues inherent in emergency information, not to mention, damage to property, there is urgency in requiring real-time captioning of emergency information. Hard of hearing people do not receive the same information that hearing viewers get from the audio portion of the broadcast in an emergency. Special reports on emergencies give more detailed coverage than the screen crawl message. However, because these reports are unscripted they cannot even be relayed to hard of hearing viewers through ENR. Real-time is the only way to get vital information to hard of hearing viewers so that they can take appropriate action to protect their health and safety.

Broadcast licensees should be required to follow a separate, faster transitional schedule to provide real-time captioning than that proposed for captioning of regular video programming by the Report and Order, MM Docket No. 95-176, "Closed Captioning Order." Emergency programming should be given a higher priority for captioning than other types of new programs. The Commission should require that emergency information be provided with captions prior to the commencement of the captioning requirement for other new programs.

In addition, video program providers should be required to find alternative methods of providing real-time captioning, such as use of the text channel and scrawl

line open captioning, to use during the transitional period to broadcast information about emergency situations to hard of hearing people.

Suspension of Exemptions

SHHH believes that the two exemptions based on gross revenues for captioning of new programming should both be suspended for the purpose of emergency information programming closed captioning. Captioning of emergency situations should come under stringent requirements as there is the potential for death and injury without it. In this regard, the Commission should invoke the same urgency as for access to emergency services through the telephone and 911.

Scope of Emergencies

SHHH believes the broadest possible scope should be used to cover the types or information and programs that should be considered "emergency information." We agree it is appropriate to add warnings and watches of impending changes in weather affecting the safety of viewers to the list of examples of emergency situations. We have a concern, however, that the very existence of a list, which is not comprehensive, could serve to justify uncaptioned broadcast of situations not explicitly listed. We therefore favor no list but the broadest possible scope, requiring television stations to caption whenever audio information about emergency situations is provided. SHHH members in Pennsylvania were painfully reminded of the time US airways flight 427 crashed less

than two miles from their homes. They had practically every emergency vehicle in southwestern Pennsylvania converging on their neighborhood, plus five helicopters circling overhead. Three of the helicopters were transmitting live feeds to TV channels 2, 4, and 11, but no captions were broadcast, not even electronic newsroom(ENR).

Remote Captioning

In the event of an emergency in one region of the country, it is entirely reasonable to use real-time captioners located in other areas unaffected by the emergency to offer remote captioning . Remote captioning is already being used. Network affiliates on the West Coast have contracts with captioning agencies to provide real-time captioning during their emergency news broadcasts. To set it up, all that is needed are dedicated telephone lines for receiving the stations audio transmission and for transmitting the captioned text to the station's encoder.

Other Methods of Visually Presenting Emergency Information

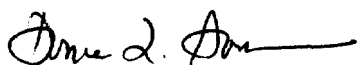
As we have already noted, the most reliable and complete way to get emergency information to hard of hearing people is via real-time captioning. During the transitional period television stations should use other methods to get emergency information out to hard of hearing viewers.

-SHHH believes Cal-TVA's recommendation to use the text channel to provide a complete transcript of the emergency information, merits consideration. Notice must first be given via the video channel and that could be accomplished with the scrawl. The text channel is an under-utilized resource. It can be programmed for a persistent display or cyclic scroll.

-Open captioning, or even a scrawl-line, would be acceptable to get emergency information to hard of hearing viewers. The process is somewhat simpler since an encoding step can be skipped, and the emergency information would be displayed -- even if the captions were turned off.

SHHH applauds the Commission's recognition of the importance of providing access to emergency information for hard of hearing and deaf viewers and its determination that further comment was necessary to address captioning rules.

Respectfully submitted,



Donna Sorkin
Executive Director, SHHH

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February 23, 1998

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